

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION

GREG GIANFORTE, GOVERNOR

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STATE OF MONTANA

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HELENA, MONTANA 59620-1601**DECISION MEMO
CATEGORICAL EXCLUSION**

MID Canal Lining – Wagner Reach
January 1, 2022
Malta Irrigation District (MID)
48° 21' 20.26" N 108° 00' 31.08" W
Phillips County

PURPOSE AND NEED

The Malta Irrigation District (MID) located in Phillips County, in northeastern Montana, supplies water to approximately 44,600 acres of irrigable acres within the Milk River Project. The Dodson Diversion Dam, on the Milk River, is the intake for the District. The Dodson South Canal runs along the south side of the Milk River and has a capacity of 500 cfs. The Wagner Reach falls within the length of the Dodson South Canal.

The Dodson South Canal was constructed in the 1930's and has been operating since 1937. The system was designed as a gravity delivery system with major sections of the Canal cut into the surrounding topography. The soil types along canal consist of silty, clay loamy soils with high permeability that are susceptible to significant seepage loss. Current seepage losses are calculated at 1.04 cfs up to 310 acre-feet per irrigation season.

The Malta irrigation District proposes to reshape and grade a 1,460-foot section of the Wagner Reach followed by the installation of a geomembrane liner or a shotcrete canal liner and replacement of field turnouts. The proposed canal rehabilitation will mitigate the severe seepage and conveyance losses and improve the District's ability to manage the diverted water.

The rehabilitation and installation project will occur from October 2022 thru January 2023.

Explanation of the decision(s) that must be made regarding the proposed action (i.e. approve grant or loan and provide funding):

DNRC will approve the grant to provide funding for the MID Canal Lining – Wagner Reach Project.

DNRC is not required to prepare an Environmental Assessment (EA) or an Environmental Impact Statement (EIS) for actions that qualify for a CATEGORICAL EXCLUSION (ARM 36.17.614) or justified by a PROGRAMMATIC REVIEW; or are ACTIONS OF A SPECIAL NATURE (ARM 36.2.523(5)); or are EMERGENCIES (ARM 36.2.539). These actions are subject to review for EXTRAORDINARY CIRCUMSTANCES that would require an EA or an EIS.

ACTIONS OF SPECIAL NATURE (ARM 36.2.523)

☐ Administrative actions: routine, clerical or similar functions of a department, including but not limited to administrative procurement, contracts for consulting services, and personnel actions.

☐ Minor repairs, operations, or maintenance of existing equipment or facilities.

☐ Investigation and enforcement: data collection, inspection of facilities or enforcement of environmental standards.

☐ Ministerial actions: actions in which the agency exercises no discretion, but rather acts upon a given state of facts in a prescribed manner.

☐ Actions that are primarily social or economic in nature and that do not otherwise affect the human environment.

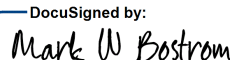
CATEGORICAL EXCLUSION/PROGRAMMATIC REVIEW

☒ Categorical Exclusion (CE) refers to a type of action which does not individually, collectively, or cumulatively require an EA or EIS, as determined by rulemaking or programmatic review adopted by the agency, unless extraordinary circumstances, as defined by rulemaking or programmatic review, occur. This project qualifies under ARM 36.17.614 CATEGORICAL EXCLUSIONS.

☐ Programmatic review means an analysis (EIS or EA) of the impacts on the quality of the human environment of related actions, programs, or policies. DNRC – CARDD does not have any programmatic reviews completed at the time of this template.

The project listed above meets the definition of Actions of a Special Nature, Categorical Exclusion or Programmatic Review including specified conditions and Extraordinary Circumstances.

Prepared By:	Name: Ann L. Kulczyk Title: Grant Manager Email: akulczyk@mt.gov	Date: December 23, 2021
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Approved By:	Name: Mark Bostrom Title: CARD Division Administrator
Signature: 	Date: 1/10/2022 11:02:24

Project Area Map
Malta Irrigation District Wagner Reach



DNRC CARDD DOCUMENTATION OF CATEGORICAL EXCLUSION DETERMINATION CHECKLIST

Project Name: MID Main Canal Lining – Wagner Reach

Brief Description: Rehabilitation and repair of a section on the MID Main Canal by improvement of existing bank, installation of canal liner and replacement of field turnouts.

Agreement Number: RRG-22-1478A

Date: 1/6/2022

Preparer: Ann L. Kulczyk

The Department of Natural Resources and Conservation action under 36.17.614, is excluded from the requirement to prepare an environmental assessment (EA) or environmental impact statement (EIS) if the application for department review is for any of the following projects:

(a) Projects relating to existing infrastructure systems such as sewer and septic systems, drinking water supply systems, and stormwater systems, including combined sewer overflow systems, dams, culverts, headgates, canal lining, siphons, pipelines, pump sites, lift stations, irrigation infrastructure, that involve:
[Answer yes or no. If all answers “no”, an EA or EIS must be completed. If any answer is yes, skip to (b).]

1. Yes - Minor upgrading; or
2. No - Minor expansion of system capacity; or
3. Yes - Rehabilitation (including functional replacement) of the existing system and system components; or
4. Yes - Construction of new minor ancillary facilities adjacent to or on the same property as existing facilities; or
5. No - Projects in unsewered communities involving the replacement of existing on-site systems, provided that the new on-site systems do not result in substantial increases in the volume of discharges or in loadings of pollutants from existing sources, and do not relocate existing discharges; or
6. No - Use of sampling and monitoring wells to test for the presence of contaminants such as, but not limited to, metals and petroleum; or
7. No - Activities that do not involve or lead directly to construction, such as planning studies, scientific research and analysis, surveys, or engineering.

(b) A categorical exclusion may NOT be granted for a department action if:
[Answer yes or no. If all answers “no”, skip to (c). If any answer is yes, an EA or EIS must be completed.]

1. No - The action would authorize facilities that will provide a new discharge or relocate an existing discharge to ground or surface waters;
2. No - The action would result in an increase above permit levels established for the facility under the Montana pollutant discharge elimination system or Montana ground water pollution control system for either volume of discharge or loading rate of pollutants to receiving waters;
3. No - The action would authorize facilities that will provide capacity to serve a population at least 30% greater than the existing population;
4. No - The action is not supported by the state, or other regional growth plan or strategy;
5. No - The action directly or indirectly involves or relates to upgrading or extending infrastructure systems primarily for the purposes of future development;
6. No - The department has received information indicating that public controversy exists over the project's potential effects on the quality of the human environment;
7. No - The department determines that the proposed project that is the subject of the state action shows some potential for causing a significant effect on the quality of the human environment, based on ARM 36.2.524, or might possibly affect:
 - (i) sensitive environmental or cultural resource areas; or
 - (ii) endangered or threatened species and their critical habitats.

(c) If the proposed project meets the conditions above in determining use of a CATEX, the

reviewer will then complete items below as follows:

[Once all steps are complete, reviewer shall sign and date at bottom. If revocation becomes necessary, reviewer shall initiate an EA or EIS as appropriate.]

1. Yes - Project meets the above Categorical Exclusion criteria.
2. Yes - DNRC determination of Categorical Exclusion.
3. Yes - DNRC distributes the Notice of Determination.
4. Yes - Notice of Publication and cover letter (containing revocation language below) is delivered to recipient.
5. NA - Notice of Publication published in local newspaper by recipient and evidence of publication provided to reviewer.

(d) The department may revoke a categorical exclusion if:

[Only complete the steps below if revocation of a previously implemented CATEX becomes necessary.]

1. Choose an item. - The project is not initiated within the time period specified in the facility plan, or a new or modified application is submitted;
2. Choose an item. - The proposed action no longer meets the requirements for a categorical exclusion because of changes in the proposed action;
3. Choose an item. - New evidence demonstrates that serious local or environmental issues exist; or
4. Choose an item. - State, local, tribal, or federal laws may be violated.

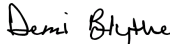
Ann Kulczyk – Grant Program Specialist

DNRC CARD Division STATE PREPARER

Demi Blythe – MEPA Coordinator

DNRC CARD Division STATE REVIEWER

DocuSigned by:



1/10/2022 | 11:01:42 AM MST

1/7/2022

COMPLETION DATE